

**ADMINISTRATIVE INVESTIGATION INTERVIEW
WITH THERON FONDREN
CLAIM FOR A \$158.90 REIMBURSEMENT FOR TOW FEE
FEBRUARY 20, 2004 1:22
CHIEF'S CONFERENCE ROOM DOTHAN POLICE DEPARTMENT**

GC: OK. WOULD YOU STATE YOUR NAME FOR ME PLEASE SIR?

TF: THERON FONDREN.

GC: ~~OK~~. MR. FONDREN AH, WHAT'S YOUR HOME ADDRESS
PLEASE?

TF: 125 BELAIR DRIVE, DOTHAN ALABAMA 36303.

GC: ~~OK~~. AND YOUR HOME PHONE NUMBER?

TF: 791-8415.

GC: AND ARE YOU EMPLOYED?

TF: YES SIR.

GC: WITH WHOM?

TF: HOME DEPOT.

GC: ALL RIGHT AND THAT'S HERE IN DOTHAN?

TF: YES SIR.

GC: OK. AND DID YOU, HAVE YOU FILED A CLAIM WITH THE
CITY OF DOTHAN FOR A REIMBURSEMENT OF A TOW FEE FOR
ONE HUNDRED AND FIFTY EIGHT DOLLARS AND NINETY
CENTS (\$158.90)?

TF: YES SIR.

GC: OK. AND IS THIS FROM AN ARREST, WAS THIS, WAS THIS
OCCURRED AFTER AN ARREST?

TF: YES SIR.

GC: ALL RIGHT. AND TELL ME ABOUT THE SITUATION OF HOW
YOU CAME TO BE ARRESTED BY THE DOTHAN POLICE
DEPARTMENT AND WHEN.

TF: ON I BELIEVE IT WAS NEW YEARS EVE OR MAY HAVE BEEN AFTER TWELVE O'CLOCK NEW, ACTUALLY NEW YEARS DAY OF 2004.

GC: OK.

TF: AND I WAS PULLED OVER FOR IMPROPER LIGHTS AND NOT WEARING MY SEATBELT.

GC: AND WHERE WERE YOU PULLED OVER AT?

TF: ON BELAIR DRIVE.

GC: ALL RIGHT.

TF: ABOUT A HUNDRED YARDS FROM MY HOME.

GC: OK.

TF: AND I RECEIVED A TICKET FOR THE SEATBELT AND IMPROPER LIGHTS. THOUGHT EVERYTHING WAS FINE AND THEN THE OFFICERS RUN MY, ON DRIVERS LICENSES I GUESS AND IT COME UP THAT I HAD AN OUTSTANDING WARRANT FOR NOT APPEARING IN COURT FOR A PUBLIC INTOXICATION CHARGE THAT I HAD TWO YEARS PRIOR FOR NOT TURNING IN MY COURT REFERRAL ORDERED CLASS CERTIFICATE BUT I HAD TURNED IN MY CERTIFICATE.

GC: OK. AH, TELL ME ABOUT THAT SITUATION. DO YOU REMEMBER THE DATE THAT THAT OCCURRED?

TF: THE PUBLIC INTOXICATION?

GC: PUBLIC INTOXICATION.

TF: FEBRUARY OF 2, 2002 OR 2001 I CAN'T REMEMBER.

GC: AH, COULD IT HAVE BEEN AH, NOVEMBER 8, 2001?

TF: POSSIBLY.

GC: OK. AND WHAT HAPPENED WITH THAT ARREST FOR THE PUBLIC INTOXICATION IN 2001?

TF: AH, I WAS FOUND GUILTY OF PUBLIC INTOXICATION AND ORDER TO GO TO COURT REFERRAL.

GC: UM HUM. OK YOU REMEMBER THE DATE THAT YOU WENT TO COURT REFERRAL?

TF: NO SIR. I HAD TO CHECK IN WITH THEM EVERY MONTH.

GC: ALL RIGHT.

TF: FOR, FOR THE NEXT YEAR I BELIEVE.

GC: AND WERE YOU, DID YOU GO TO, DID YOU ATTEND SOME TYPE OF SCHOOL?

TF: I WENT TO INTENSIVE OUTPATIENT LEVEL THREE TO START WITH. AND THEN I GOT MOVED TO THE MENTAL HEALTH BOARD OUT BESIDE THE OLD FARM CENTER.

GC: UM HUM.

TF: TO A CLASS CALLED DUAL DIAGNOSIS.

GC: UM HUM.

TF: AND I WENT TO THAT AND I ALSO WENT TO ALCOHOLIC ANONYMOUS MEETINGS.

GC: DID YOU COMPLETE THESE SCHOOLS?

TF: YES SIR.

GC: ALL RIGHT. DID YOU RECEIVE A CERTIFICATE?

TF: YES SIR.

GC: OK. AND WAS THAT PART OF YOUR COURT REFERRAL AH, OR PART OF YOUR SENTENCE FROM THE MUNICIPAL JUDGE TO PRESENT YOUR CERTIFICATE?

TF: I DON'T KNOW IF I ACTUALLY RECEIVED THE CERTIFICATE FROM THE FIRST CLASS SINCE I GOT MOVED FROM THE INTENSIVE OUTPATIENT THREE TO THE DUAL DIAGNOSIS, I JUST GOT SIGNED OFF BY HARRISON FARR AT COURT REFERRAL.

GC: OK.

TF: SO I DON'T KNOW IF THAT WAS THE ACTUAL CERTIFICATE BUT IT WAS SIGNED OFF BY THE COURT REFERRAL THAT I WAS OK AND FREE.

GC: OK. BUT YOU, DID THEY EVER SAY THAT YOU HAD A CERTIFICATE YOU HAD TO PRESENT BACK TO THE COURT?

TF: THEY SAID THAT THE PAPER FROM COURT REFERRAL THAT I TOOK BACK TO THE COURT WOULD SERVE AS MY CERTIFICATE.

GC: OK. AND YOU DID THAT?

TF: YES SIR.

GC: ALL RIGHT DO YOU REMEMBER WHAT DATE YOU PRESENTED THAT PAPERWORK?

TF: I HAVE NO IDEA BECAUSE I WENT TO COURT, I HAD TO GO TO COURT EVERY MONTH.

GC: OK.

TF: TO CHECK IN.

GC: BUT YOU DO REMEMBER TAKING A COURT REFERRAL AH, PAPERWORK TO THE COURT?

TF: YES SIR.

GC: AND THIS WAS AFTER YOU COMPLETED YOUR CLASSES?

TF: YES SIR.

GC: ALL RIGHT.

TF: AND I TURNED IT IN AT COURT. AH, I CAN'T REMEMBER THE JUDGE'S NAME, REAL NICE BLACK LADY. I TURNED IT IN TO THE PERSON THAT SITS TO THE LEFT OF HER THERE IN THE COURTROOM AND SHE SAID I WAS A FREE MAN, DON'T DO IT AGAIN.

GC: ALL RIGHT. AND AH, DID YOU EVER RECEIVE ANY LETTERS OR ANYTHING FROM THE COURT STATING THAT YOU WERE NOT IN COMPLIANCE?

TF: NO SIR.

GC: AH, NO NOTIFICATION, NO PHONE CALLS, ANYTHING OF THAT NATURE?

TF: NO SIR.

GC: WERE YOU GIVEN ANOTHER COURT DATE THAT YOU, THAT YOU EVER FAILED TO SHOW UP AT? WAS THERE ANY CONFUSION THERE?

TF: WHAT, THAT'S WHAT I WAS ARREST FOR BUT I HAD NO IDEA THAT I WAS GIVEN ANOTHER COURT DATE.

GC: ALL RIGHT BUT YOU NEVER RECEIVED ANY KIND OF NOTIFICATION, PAPER?

TF: NO SIR.

GC: LETTER?

TF: NO SIR.

GC: PHONE CALL OR ANYTHING OF THAT NATURE? AH, DID YOU EVER HAVE TO GO BACK AND RECOM...AH, RECOMPLETE THE AH, SRO PROGRAM? AH, I'M SORRY THE CRO PROGRAM? DID YOU EVER HAVE TO REDO IT AGAIN?

TF: AFTER THIS TIME?

GC: UM HUM.

TF: NO SIR.

GC: ALL RIGHT.

TF: HAVEN'T BEEN IN TROUBLE SINCE. EXCEPT FOR SPEEDING TICKETS, SEATBELT TICKETS AND STUFF LIKE THAT.

GC: AH, DID YOU RESUBMIT THAT PAPERWORK AT ANY POINT IN TIME TO THE MAGISTRATES OFFICE AFTER YOUR ARREST?

TF: I, I DIDN'T HAVE TO I JUST CALLED HARRISON FARR AT COURT REFERRAL AND EXPLAINED THE SITUATION TO HIM AND HE SAID HE'D MAKE A PHONE CALL TO THE MAGISTRATES OFFICE.

GC: BUT...

TF: SOME HOW I ENDED UP AT THE MAYOR'S OFFICE AND THEN BACK AT THE CITY CLERK'S OFFICE TO GET MY REIMBURSEMENT SO.

GC: OK. ALL RIGHT. DID YOU DO WHAT THE AH, MAGISTRATES OFFICE TOLD YOU THE TIME THAT YOU AH, ON THE, ON

THE PUBLIC INTOXICATION AND THE CRO PEOPLE WERE INVOLVED, DID YOU, DID YOU RETURN EVERYTHING THAT THE MAGISTRATES OFFICE TOLD YOU TO DO, THE JUDGE SAID?

TF: YES SIR.

GC: OK. AH, BUT YOU NEVER MISSED ANY COURT DATES?

TF: NEVER MISSED ANY COURT DATES.

GC: I SEE IN YOUR CLAIM HERE THAT AH, MARY BETH AH, DID YOU, DID YOU EVER TURN ANYTHING IN TO HER? MARY, DO YOU KNOW MS. BRACKIN, DO YOU KNOW HER?

TF: MS. BRACKIN.

GC: OR DO YOU JUST KNOW HER BY MARY BETH?

TF: I JUST KNOW HER BY MARY BETH. THAT'S WHO HARRISON TOLD ME HE HAD TALKED TO AT THE MAGISTRATES OFFICE.

GC: OK.

TF: CAUSE I CALLED HARRISON AND HE SAID, I'M LIKE HARRISON DON'T I NEED SOME KIND OF PAPERWORK SO THAT THIS DON'T HAPPENED AGAIN YOU KNOW I CAN GET, PHYSICALLY HAND THIS TO SOMEBODY. AND ~~SHE~~ ^{HE} SAID I TALKED TO MARY BETH.

GC: UN HUH. ALL RIGHT. AND BUT YOU NEVER MET MARY BETH BEFORE?

TF: NEVER MET MARY BETH BEFORE.

GC: HAD YOU DEALT WITH HER DURING THAT FIRST SITUATION?

TF: I CAN'T REMEMBER.

GC: DID SHE GIVE YOU ANY INFORMATION AS FAR AS HOW TO GO ABOUT TURNING THIS IN OR FILING THIS CLAIM?

TF: I THINK SHE SAID TO GO TO THE CITY CLERK'S OFFICE.

GC: UM HUM.

TF: AND THAT'S WHERE THEY REFERRED ME TO. CAUSE SHE GAVE ME A PIECE OF PAPER THE BOND PAPER (?).

GC: DO YOU HAVE, YOU DON'T, THIS?

TF: YES SIR.

GC: OK. THIS WAS NOT GIVEN TO YOU WHEN YOU GOT OUT OF JAIL?

TF: MAYBE YEAH THAT WAS GIVEN TO ME WHEN I GOT OUT OF JAIL. MAYBE SHE JUST SENT ME TO THE CITY CLERK'S OFFICE. CAUSE I, WHAT WAS THE GIRL'S NAME AT THE CITY CLERK'S OFFICE. I CAN'T REMEMBER. SHE'S THE RECEPTIONIST RIGHT WHEN YOU WALK IN.

GC: ALL RIGHT AND WHEN YOU WENT TO THE CITY CLERK'S OFFICE, DID SHE GIVE YOU THE PAPERWORK TO FILE THE CLAIM OR TELL YOU HOW TO FILE THE CLAIM?

TF: FOR THE FIVE HUNDRED OR FOR THIS?

GC: ANY OF IT. HOW, HOW DID, AFTER YOU TALKED WITH MS. BRACKIN, WHAT DID SHE TELL YOU TO DO?

TF: I BELIEVE SHE TOLD ME TO GO TO THE CITY CLERK'S OFFICE. SOMEBODY TOLD ME TO GO TO THE CITY CLERK'S OFFICE.

GC: UM HUM.

TF: AND I WENT THERE AND EXPLAINED THE SITUATION. I DIDN'T HAVE TO FILL OUT ANY PAPERWORK THEY JUST KNEW ABOUT IT SOME HOW. I GUESS MARY BETH MAYBE TOLD THEM OR HARRISON HAD TOLD THEM. AND THEY TOLD ME TO CHECK BACK OR THAT I WOULD RECEIVE A CHECK IN THE MAIL WITHIN THREE WEEKS.

GC: UM HUM.

TF: SO FOUR WEEKS LATER, I WENT BACK TO THE MAGISTRATES OFFICE AND THEY REFERRED ME BACK TO THE CITY CLERK'S OFFICE AND MY CHECK WAS THERE.

GC: DID MS. BRACKIN SAY ANYTHING TO YOU ABOUT BEING FALSELY ARRESTED OR BEING ARRESTED IN ERROR OR ANYTHING OF THAT NATURE? THAT YOU WERE?

TF: I CAN'T REMEMBER. NOW HARRISON SAID THAT IT WAS JUST A COMPUTER PROBLEM OR SOMETHING LIKE THAT. THE

RECORDS DIDN'T GET BACK TO THE POLICE DEPARTMENT OR IN THE COMPUTER SOMETHING LIKE THAT.

GC: UM HUM. OK. DID MS. BRACKIN EVER SAY ANYTHING TO YOU ABOUT AH, FILING THIS CLAIM?

TF: OTHER THAN I THINK SHE REFERRED ME TO THE CITY CLERK'S OFFICE. SOMEBODY AT THE CITY CLERK'S OFFICE GAVE ME THE NUMBER OF, OF THE, KEVIN KELLY.

GC: OK.

TF: AND I TALKED TO KEVIN KELLY AND HE REFERRED ME TO NICK MONDAY.

GC: RIGHT. OK AND BUT MS. BRACKIN NEVER SAID ANYTHING ABOUT YOU BEING FALSELY ARRESTED? SAY THAT THERE WAS, THAT YOU WERE ARRESTED IN ERROR? SHE EVER SAY THAT TO YOU?

TF: I DON'T KNOW IF SHE SAID THAT BUT THAT WAS, THAT WAS UNDERSTOOD FROM HER CONVERSATION WITH HARRISON FARR.

GC: UN HUH. OK. AH, DID SHE EVER SAY ANYTHING TO YOU ABOUT FILING A SUIT AGAINST THE CITY?

TF: NO.

GC: AND WAS ANYBODY ELSE AROUND IN THE ROOM WHEN YOU WERE TALKING WITH MS. BRACKIN?

TF: YEAH THERE WAS SOME PEOPLE IN THERE CAUSE YOU KNOW WE WERE AT THE OLD MAGISTRATES OFFICE TALKING THROUGH THE GLASS SO THERE WAS OTHER PEOPLE THERE. I DON'T KNOW WHO THEY WERE.

GC: BUILDING RIGHT HERE ON THE CORNER?

TF: YES SIR.

GC: OK. ALL RIGHT. AND AH, DID MS. BRACKIN CALL ANYBODY OTHER, DID SHE CALL MR. FARR OR ANYTHING OF THAT NATURE WHILE YOU WERE THERE?

TF: I DON'T KNOW SHE WAS IN, SHE WAS AH, COMING BACK TO THE WINDOW AND AWAY FROM THE WINDOW DURING THE

CONVERSATION SO I DON'T KNOW IF SHE CONTACTED ANYBODY.

GC: DO YOU KNOW MS. BRACKIN OTHER THAN THROUGH THE MAGISTRATES OFFICE?

TF: NO I DIDN'T EVEN KNOW HER NAME WAS, I DIDN'T KNOW HER LAST NAME WAS BRACKIN.

GC: OK MARY BETH?

TF: I JUST KNEW MARY BETH. AND THE ONLY REASON I KNEW THAT WAS FROM HARRISON.

GC: OK. ALL RIGHT SIR. WELL YOU HAVE ANYTHING ELSE YOU'D LIKE TO ADD TO THIS STATEMENT?

TF: NO SIR.

GC: ALL RIGHT THIS IS THE END OF THE STATEMENT. THE TIME IS 135.

PRJOHNSON